

Item No. 6.4	Classification: Open	Date: 24 September 2015	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 15/AP/2745 for: Full Planning Permission Address: ST OLAVES AND ST SAVIOURS SPORTS GROUND, GREEN DALE, LONDON SE22 8TX Proposal: Removal of existing 1.8 metre high chain link fence; installation of a 2.4 metre high black powder coated steel palisade fence inclusive of 1 no. 4 metre wide double leaf gate to the side of the path that divides the sports field		
Ward(s) or groups affected:	South Camberwell		
From:	Director of Planning		
Application Start Date 14/07/2015		Application Expiry Date 08/09/2015	
Earliest Decision Date 12/08/2015			

RECOMMENDATION

1. That the application is considered by the Planning Committee as it is for development on Metropolitan Open Land (MOL); and that planning permission is granted subject to condition.

BACKGROUND INFORMATION

Site location and description

2. The subject site is a school playing field situated between Dulwich Hamlet Sports Facilities and Green Dale. There are no listed buildings on or adjacent to the site and it is not within a Conservation Area. The site is designated Metropolitan Open Lane providing outdoor recreation/sport.

Details of proposal

3. The proposed development involves the installation of a 2.4m high boundary fence around the perimeter of the site to replace the existing 1.8m high chain link fence. The fence is situated adjacent to the pedestrian pathway between Abbotswood Road and Green Dale.
4. The proposed fence will have a length of 131m and will be a black powder coated aluminium palisade fence. This includes one 4m wide double leaf gate to provide access to the playing fields.

5. Planning history

08/AP/2456 Application type: Full Planning Permission (FUL) To remove the existing 1.8 metre high timber fence and install a 2.4 metre high black powder coated steel palisade fence along the south western and north western boundaries of the sports ground with new access gates. Decision date 19/12/2008 Decision: Granted (GRA)
09/AP/0452 Application type: Full Planning Permission (FUL) Construction of a low pitched roof to existing sports pavilion, with the installation of three sunpipes. Decision date 03/07/2009 Decision: Granted (GRA)
09/AP/0893 Application type: Full Planning Permission (FUL) Replacement of existing single glazed timber windows and doors, painted white, with powder coated aluminium, double glazed doors and double glazed upvc windows, to be white in colour, on the front, side and rear of the sports pavilion. Decision date 23/07/2009 Decision: Granted (GRA)

KEY ISSUES FOR CONSIDERATION

Summary of main issues

6. The main issues to be considered in respect of this application are:
 - a) the impact of the development upon the MOL;
 - b) whether the proposed development is of an acceptable design

Planning policy

7. National Planning Policy Framework (the Framework)
Achieving Sustainable Development
 7. Requiring good design
 8. Promoting healthy communities
 9. Protecting Green Belt land
8. London Plan July 2011 consolidated with revised early minor alterations October 2013 and further alterations March 2015
 - 3.19 Sports Facilities
 - 7.17 Metropolitan Open Land
9. Core Strategy 2011
 - SP1 Sustainable Development
 - SP4 Places for learning, enjoyment and healthy lifestyles
 - SP11 Open Spaces and wildlife
 - SP12 Design and Conservation
10. Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19 March 2013, as required by paragraph 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Principle of development

11. The proposed development will improve the security around the existing school playing fields which will help secure the provision of sports and recreation facilities for the use of the school. London Plan policy 3.19 states that development proposals that enhance or increase the provision of sports and recreation facilities should be supported. However it also states that where sports facility developments are provided on existing open space they will need to be considered in light of policies protecting open space as well as the borough's own assessment of needs and opportunity for both sports facilities and for green multi functional open space.
12. London Plan policy 7.17 states that the development of land within Metropolitan Open Land is acceptable where it provides essential ancillary facilities for an appropriate use and where it maintains the openness of MOL. MOL also has the same level of protections as land designated as Green Belt. The NPPF paragraph 89 states that the construction of new building should be regarded as inappropriate in Green Belt. However exceptions apply including the provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it. Therefore the tests as to whether the development is acceptable in principle is:
 - a) whether the use of the land is appropriate;
 - b) whether the proposed development is ancillary and essential to the use of the land as a sports playing field; and
 - c) whether the proposed development preserves the openness of the Metropolitan Open Land.

a) whether the use of the land is appropriate?

The use of the site as a school playing field is long established and allows the facility to be used for sports and recreation uses by local schools. This is considered to be an appropriate use of MOL.

b) whether the proposed development is ancillary and essential to the use of the land as a sports playing field?

The proposed replacement fence will provide improved security for the playing safeguarding its use as sports playing field and ensuring that the condition of the facility can be maintained to a high standard. The fence is therefore ancillary to the use of the land a sports playing field and essential as it protects the facility from vandalism and inappropriate uses.

c) whether the proposed development maintains the openness of the MOL?

The proposed palisade fence will replace an existing chain link fence and will be 60cm higher than the existing. The proposed fence allows for views through to the open space beyond and will also be partially screened from the existing shrubs and trees that occupy the strip of land between the existing pedestrian path and the boundary of the playing fields. It is considered that the proposed development will maintain the openness of the MOL.

Environmental impact assessment

13. Not required for an application of this size.

Impact of proposed development on amenity of adjoining occupiers and surrounding area

14. The site is bounded by other designated open spaces to the north, east and south and the Green Dale cycle way to the west. The proposed fencing will not be situated next to any residential properties and there will be no detrimental impact on amenity.

Design issues

15. The NPPF stresses the importance of good design and states in paragraph 56 that: *“Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.”* Policy SP12 of the Core strategy states that *“Development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in.”* Saved Policy 3.13 asserts that the principles of good urban design must be taken into account in all developments. This includes height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and resultant streetscape.
16. The existing chain link fence is of no particular design merit and does not make a significant contribution to the character and appearance of the area. The proposed replacement fence is a powder coated aluminium fence which will match that which has been installed around the neighbouring open space on the opposite side of the pedestrian pathway (08/AP/2456). The replacement fence will have an acceptable impact in design terms and will also be screened from public space by existing landscaping outside of the site. As such the proposal is in accordance with the relevant design policies.

Impact on trees

17. None anticipated.

Sustainable development implications

18. The proposed fencing will help safeguard the provision of sports and recreation facilities for local schools and is in accordance with the relevant local, regional and national policies regarding the protection of open space. This is considered to comply with the definition of sustainable development as set out in NPPF.

Conclusion on planning issues

19. The proposed development is of a design and scale which preserves the openness of the Metropolitan Open Land and is in keeping with the character and appearance of the surrounding streetscape. Accordingly approval is recommended subject to conditions set out below.

Community impact statement

20. In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a) The impact on local people is set out above.

Consultations

21. Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

22. Details of consultation responses received are set out in Appendix 2.

Summary of consultation responses

23. No response received.

Human rights implications

24. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
25. This application has the legitimate aim of providing fencing around a sports field. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1238-C Application file: 15/AP/2745 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 3920 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Robin Sedgwick, Planning Officer	
Version	Final	
Dated	15 September 2015	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic director, finance & corporate services	No	No
Strategic director, environment and leisure	No	No
Strategic director, housing and community services	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team		15 September 2015

APPENDIX 1

Consultation undertaken

Site notice date: 20/07/2015

Press notice date: n/a

Case officer site visit date: n/a

Neighbour consultation letters sent: n/a

Internal services consulted:

n/a

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

n/a

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

None

Neighbours and local groups

None